

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 30, 2006

2007 JUL 30 PM 4:53
CHIEF CLERKS OFFICE
TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: Request for extension of time filed by Southeast and Southwest Region Homeowners Groups; TCEQ Docket Nos. 2004-1120-UCR and 2004-1671UCR; SOAH Docket Nos. 582-05-2770 and 582-05-2771.

By letter dated July 25, 2007, Ms. Sheridan Gilkerson Thompson filed on the behalf of the Southeast and Southwest Region Homeowners Groups a request for a one-day extension to file Exceptions to the Administrative Law Judges' Proposal for Decision. In that letter, she indicated that she had conferred with Counsel for the Parties about her extension request, and they indicated that they did not oppose the request. By subsequent letter dated July 30, 2007, Ms. Thompson explained that she had also conferred with the Parties who were not represented by Counsel at the hearing, and that they also did not oppose her extension request.

Section 80.157(b) of the Commission's rules authorizes the Commission's General Counsel to extend the time for the filing of exceptions and replies to a proposal for decision. After review of Ms. Thompson's letter and in light of the date of this letter, I have determined to extend the time for filing exceptions to **5:00 P.M. on Thursday, July 26, 2007**, and the time for filing Replies to Exceptions to **5:00 P.M. on Wednesday, August 8, 2007**.

At this time, this matter has not been scheduled for Commission consideration during an open meeting. When it is so scheduled, you will be notified by subsequent letter from the Office of Chief Clerk. If you have any questions about this matter, please contact Celeste Baker, Assistant General Counsel, at (512) 239-5527.

Respectfully,

A handwritten signature in cursive script that reads "Derek Seal".

Derek Seal
General Counsel

Mailing List

<h:/counsel/baker/letters/07/Extensions/AquaUtilitiesInc.ext>

Mailing List
Aqua Utilities, Inc. dba Aqua Texas, Inc.
TCEQ Docket Nos. 2004-1120-UCR and 2004-1671-UCR
SOAH Docket Nos. 582-05-2770 and 582-05-2771

Paul Terrill
Aqua Texas, Inc.
810 W. 10th Street
Austin, Texas 78701
512/474-9100 FAX 512/474-9888

Sheridan Gilkerson Thompson
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711 W. 7th St.
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512/225-5707 FAX 512/225-5565

Gayle Pierce
Southeast Region Homeowners Group
14188 Shadow Bay Drive
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Judith B. Weidner
13231 Ridgewater Way
Conroe, Texas 77302-3468
936/494-1104

Linda Lamberth
912 Eagle Creek Dr.
Floresville, Texas 78114
830/393-3373 FAX 210/524-5801

Byron Zinn
120 Hidden Springs Ct.
Spicewood, Texas 78669
830/798-2380

Charles Evans
27025 Masters Parkway
Spicewood, Texas 78669
830/693-2489

Craig R. Bennett
Administrative Law Judge
State Office of Administrative Hearings
P.O. Box 13025
Austin, Texas 78711-3025
512/475-4993 FAX 512/475-4994

Blas Coy
TCEQ Office of Public Interest Counsel
MC 103
P.O. Box 13087
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512/239-6363 FAX 512/239-6377

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LAW OFFICES OF
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(512) 472-7600
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ROBERT WILSON

SHERIDAN GILKERSON THOMPSON
LAURA KELLEY

ELIZABETH A. TOWNSEND†
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TENNESSEE

*BOARD CERTIFIED IN OIL,
GAS AND MINERAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

July 30, 2007

Mr. Derek Seal
Office of the General Counsel
Texas Commission on Environmental Quality
12100 Park 35 Circle
Building F, 4th Floor
Austin, Texas 78711-3087

via Fax: 239-5533

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 JUL 31 PM 2:49
CHIEF COUNSEL'S OFFICE

Re: SOAH Docket Nos. 582-05-2770 and 582-05-2771; TCEQ Docket Nos. 2004-1120-UCR; 2004-1671-UCR; Application by Aqua Utilities, Inc., d/b/a Aqua Texas, Inc. to Change its Water and Sewer Tariffs and Rates in Various Counties, and Appeal of Rate-Making Actions of Various Municipalities Denying Requested Changes to Water and Sewer Tariffs and Rates

Dear Mr. Seal:

As you know from my previous letter, I missed the filing deadline by 10 minutes for the filing of Exceptions to the Administrative Law Judges' Proposal for Decision in the above referenced Docket. Pursuant to my letter filed on July 25, 2007, attached as Exhibit "A," I requested a one-day extension of time to file without objection from Paul Terrill, attorney for Aqua Texas, Todd Galiga, attorney for the Executive Director and Scott Humphrey, attorney for the Office of Public Interest Counsel. The deadline was July 25, 2007.

I conferenced with the remainder of the parties on July 27, 2007: Charles Evans, Byron Zinn and Linda Lambert, who each indicated that they are not opposed to the request. Accordingly, pursuant to 30 Tex. Admin. Code §80.257, I am re-filing this request for a one day extension of the filing deadline.

As all Parties received our Exceptions, no party will be harmed or prejudiced by this extension.

July 30, 2007
Page 2

If you have any questions or need any additional information, please do not hesitate to call me at 472-7600, or e-mail me at sthompson@jacksonsjoberg.com.

Respectfully,

A handwritten signature in cursive script that reads "Sheridan Gilkerson Thompson".

Sheridan Gilkerson Thompson
Attorney for the SE & SW Regions

cc (via e-fax and Certified Mail):

Attached Mailing List
Celeste Baker

SERVICE LIST

SOAH DOCKET NOS. 582-05-2770, 582-05-2771
TCEQ DOCKET NOS. 2004-1120-UCR, 2004-1671-UCR

Parties	REPRESENTATIVE/ADDRESS
State Office of Administrative Hearings	Craig R. Bennett, Travis Vickery Administrative Law Judges State Office of Administrative Hearings 300 West Fifteenth Street, Suite 502 Austin, TX 78701 512-475-4993 512-936-0730 fax
Texas Commission on Environmental Quality	Todd Galiga Texas Commission on Environmental Quality, MC-175 PO Box 13087 Austin, TX 78711-3087 512 239-3578 512 239-0606 (Fax)
Office of the Public Interest Counsel of the Texas Commission on Environmental Quality	Scott Humphrey Office of the Public Interest Counsel Texas Commission on Environmental Quality MC-103 PO Box 13087 Austin, TX 78711-3087 512 239-0574 512 239-6377 (Fax)
Aqua Texas, Inc.	Paul Terrill, Attorney 810 W. 10 th Street Austin, TX 78701 512-474-9100 512-474-9888 (Fax)
Southwest Region Homeowners Group	Sheridan L. Gilkerson Attorney Jackson, Sjoberg, McCarthy & Wilson, LLP 711 W. 7 th St. Austin, TX 78759 512 225-5707 512 225-5565 (Fax)

<p>Southeast Region Homeowners Groups (and Numerous Individual Customers, including Crighton Ridge Homeowners Group)</p>	<p>Sheridan L. Gilkerson Attorney Jackson, Sjoberg, McCarthy & Wilson, LLP 711 W. 7th St. Austin, TX 78759 512 225-5707 512 225-5565 (Fax)</p> <p>Gayle Pierce* Southeast Region Homeowners Group 14188 Shadow Bay Drive Willis, TX 77318-7405 936 890-2152</p> <p>Judith B. Weidner* 13231 Ridgewater Way Conroe, TX 77302-3468 936-494-1104</p>
<p>Eagle Creek Ranch HOA</p>	<p>Linda Lamberth 912 Eagle Creek Dr. Floresville, TX 78114 830-393-3373 210-524-5801 (Fax)</p>
<p>Barton Creek Lakeside POA</p>	<p>Byron Zinn 120 Hidden Springs Ct. Spicewood, TX 78669 830/798-2380</p> <p>Charles Evans 27025 Masters Parkway Spicewood, TX 78669 830/693-2489</p>
<p>Docket Clerk, Office of the Chief Clerk</p>	<p>Ms. La Donna Castanuela TCEQ, Office of the Chief Clerk 12100 Park 35 Circle Building F, 1st Floor Austin, TX 78711-3087 512-239-3311 (Fax)</p>

* Regular Mail

EXHIBIT "A"

LAW OFFICES OF

JACKSON, SJOBERG, MCCARTHY & WILSON, L.L.P.

711 WEST 7TH STREET
AUSTIN, TEXAS 78701-2785

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TEXAS BOARD OF LEGAL SPECIALIZATION

July 25, 2007

via Fax: 239-5533

Mr. Derek Seal
Office of the General Counsel
Texas Commission on Environmental Quality
12100 Park 35 Circle
Building F, 4th Floor
Austin, Texas 78711-3087

Re: SOAH Docket Nos. 582-05-2770 and 582-05-2771; TCEQ Docket Nos. 2004-1120-UCR; 2004-1671-UCR; Application by Aqua Utilities, Inc., d/b/a Aqua Texas, Inc. to Change its Water and Sewer Tariffs and Rates in Various Counties, and Appeal of Rate-Making Actions of Various Municipalities Denying Requested Changes to Water and Sewer Tariffs and Rates

Dear Mr. Seal:

I am writing on behalf of the Southeast Region (including Crighton Ridge Homeowners Association) and Southwest Region to request a one-day extension of time to file Exceptions to the Administrative Law Judges' Proposal for Decision in the above referenced Docket. The deadline was yesterday, July 25, 2007. Although all Parties received copies of our Exceptions yesterday by fax and e-mail, I was not able to get them physically filed at the Commission Chief Clerk's Office until after 5:00 pm.

On my way from our downtown offices to file our Exceptions at TCEQ, traffic began backing up earlier than usual on MoPac, and I arrived at the Chief Clerk's Office at 5:10 p.m. I deposited all copies in the Chief Clerk's night box. The Judges, SOAH Clerk and the TCEQ Chief Clerk were faxed copies (without Appendices) and all Parties were e-mailed copies of our Exceptions (with Appendices) yesterday, the original filing date.

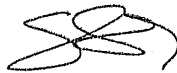
I have conferenced with Counsel for the Parties about this request, and they have indicated that they are not opposed to the request. Accordingly, pursuant to 30 Tex. Admin. Code §80.257, I am filing this request for a one day extension of the filing deadline.

July 26, 2007
Page 2

As all Parties received our Exceptions, no party will be harmed or prejudiced by this extension.

I apologize for the delay, but request your favorable consideration of this request. Please do not hesitate to call me at 472-7600, or email me at sthompson@jacksonsjoberg.com if you have any questions or need any additional information.

Respectfully,



Sheridan Gilkerson
Attorney for the SE & SW Regions

cc (via e-fax and Certified Mail):

Attached Mailing List
Celeste Baker